

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
ORANGEBURG DIVISION

John Goodwin,

Plaintiff,

vs.

South Carolina State University, South Carolina Small Business Development Centers, Michelle Abraham (In her Individual Capacity), Barbara Adams (In her Individual Capacity), Dolline Tucker (In her Individual Capacity),

Defendants.

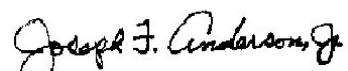
C/A No. 5:14-cv-01671-JFA

**ORDER ON MOTION
TO DISMISS**

This matter is before the court on the motion by counsel for Plaintiff to Dismiss Plaintiff's claims against Defendants, pursuant to Rule 41 of the Federal Rules of Civil Procedure. *See* ECF No. 19. After reviewing the background of the case, this Court respectfully denies Plaintiff's Motion to Dismiss. The court understands that counsel filed such motion because the Plaintiff has passed away. However, the proper avenue upon the death of a plaintiff is to proceed under Rule 25 of the Federal Rules of Civil Procedure, with the filing of a Suggestion of Death. The court interprets the motion as suggesting the death of Plaintiff. Accordingly, Plaintiff's Motion to Dismiss, ECF No. 19, is denied.

IT IS SO ORDERED.

November 10, 2014
Columbia, South Carolina


Joseph F. Anderson, Jr.
United States District Judge